

## CPAXLP

## LEGAL NOTICES 7999

**Notice of Opportunity to Comment on Calamity Basin Ponderosa Pine Thinning Treatment, Dominguez Creek Riparian Fence, Pine Mountain Fence, Hopeful Strides Endurance Run, Outfitter Guide Permit Modifications, Lands Special Use Authorizations, Flowing Park Trailhead, Leonard's Ridge Trail and Crystal Lake Dam Repairs**

In light of a recent court ruling (Sequoia ForestKeeper v. Tidwell, 11-cv-00679-LJO-DLB (E.D. Cal.)), the Forest Service will provide public notice, comment, and opportunity for administrative appeal for projects and activities documented with a "Decision Memo" (36 CFR 220.6(e)) until new instructions are issued by the Washington Office, or the Agency issues regulations addressing the Court's ruling. In addition, the Forest Service will prepare Decision Memos and offer notice, comment and appeal opportunities for timber sales and proposed approvals of oil or gas exploration and development activities that rely upon Section 390 of the Energy Policy Act of 2005. Only those who provide comment or express interest in these proposals during this comment period will be eligible to appeal the decisions pursuant to 36 CFR part 215 regulations.

Therefore, the Forest Service, Grand Mesa, Uncompahgre and Gunnison National Forest, Supervisors Office and Grand Valley Ranger District, are planning on preparing Decision Memos for the following projects or authorizations and invite your comments:

**Timber Project:**  
Calamity Basin Ponderosa Pine Thinning Treatment (T. 51N, R. 17W, Sections 11, 12, 19 & 20, New Mexico PM) The Acting District Ranger proposes to authorize treatment and thinning of up to 150 acres of young ponderosa pine trees which have not been managed since being machine planted in 1965 on the Uncompahgre National Forest. The primary objectives of this project are to: 1) thin these stands to improve stand growth and health and to improve conditions within the stand to enhance available forage for both big game and domestic livestock and 2) create a mosaic of conditions within the stand resulting in some areas clumped and dense for hiding cover, some areas with wider spacing, and some small opening to enhance wildlife habitat (36 CFR 220.6(e)(ii)). For more information on this timber project contact: Christie Ladue at 970-263-5832 or cladue@fs.fed.us.

**Range Projects:**  
Dominguez Creek Riparian Fence (T. 51N, R. 100W, Section 36, New Mexico PM) The Acting District Ranger proposes to authorize construction of 1/2 mile of range fence to protect a riparian area along Dominguez Creek on the Uncompahgre National Forest (36 CFR 220.6(e)(9)(i)). Pine Mountain Fence (T. 51N, R. 102W, Sections 19 and 24, New Mexico PM) The Acting District Ranger proposes to authorize construction of 1.0 miles of range fence for livestock management purposes on the Uncompahgre National Forest (36 CFR 220.6(e)(9)(i)). For more information on range projects contact: Mike Surber at 970-263-5803 or msurber@fs.fed.us.

**2012 Recreation Special Use Authorizations:**  
Hopeful Strides Endurance Run (T. 12S, R. 95W, Section 2, 6th

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(PM) The Acting District Ranger proposes to authorize a special use event that includes: a half marathon, a 10km, a 5km and a 1km race on the Grand Mesa National Forest (36 CFR 220.6(e)(3)(ii)).

**Black Timber Outfitters** (T. 10S, R. 92W, Section 34, 6th PM) The Acting District Ranger proposes to authorize outfitter and guide permit modifications on the Grand Mesa National Forest (36 CFR 220.6(e)(3)).

**Dominguez Recreational Outfitters** (T. 50N, R. 17W, Section 15, New Mexico PM) The Acting District Ranger proposes to authorize outfitter and guide permit modifications on the Uncompahgre National Forest (36 CFR 220.6(e)(3)). For more information on recreation projects contact: Ryan Fricke at 970-263-5809 or rfricke@fs.fed.us.

**Lands Special Use Authorizations:**  
Town of Cedaredge (T. 11S, R. 93W, Sections 31 & 33; T. 11S, R. 94W, Sections 35 & 36; T. 12S, R. 93W, Sections 3 - 8; T. 12S, R. 94W Sections 1, 2, 11, 12 & 14, 6th PM) The Acting Forest Supervisor proposes to issue a new special use permit for Cedaredge's existing and previously-authorized municipal water system (36 CFR 220.6(e)(15)).

**Town of Orchard City** (T. 12S, R. 95W, Sections 3, 9, 10, 14, 15, 16, 22 & 23, 6th PM); The Acting Forest Supervisor proposes to issue a new special use permit to the for Orchard City's existing and previously-authorized municipal water system (36 CFR 220.6(e)(15)).

**Merial Currier VanderLaan** (T. 8S, R. 93W, Section 35 and T. 8½S, R. 93W, Section 2, 6th PM) The Acting Forest Supervisor proposes to issue a new special use permit to for an existing and previously-authorized spring development and pipeline (36 CFR 220.6(e)(15)).

**Coon Creek Reservoir and Ditch Company** (T. 1S, R. 95W, Section 30; T. 11S, R. 96W, Section 25, 6th PM) The Acting Forest Supervisor proposes to issue a new special use permit for the existing and previously-authorized enlargement of Coon Creek Reservoir #1 (36 CFR 220.6(e)(15)).

**Eagles Nest Lodge** (T. 12S, R. 94W, Section 18, 6th PM) The Acting Forest Supervisor proposes to issue a new special use permit to for an existing sign on the Grand Mesa National Forest (36 CFR 220.6(e)(3)).

**Leroux Creek Water Users Association** (T. 12S, R. 93W, Section 11, 6th PM) The Acting District Ranger proposes to issue a permit to the for the repair of the Hanson Reservoir #2 dam on the Grand Mesa National Forest Section (36 CFR 220.6(e)(3)).

**Surface Creek Ditch and Reservoir Company** (T. 12S, R. 95W, Section 12, 6th PM) The Acting District Ranger proposes to issue a permit to the for the repair of the Boyd Lake Reservoir dam on the Grand Mesa National Forest (36 CFR 220.6(e)(3)).

**Mika Ag, Inc** (T. 50N, R. 16W, Sections 22, 23, 25, 27 & 36; T. 51N, R. 16, Section 1, New Mexico PM) The Acting Forest Supervisor proposes to issue a private road special use permit for access to Mika Ag, Inc's private inholdings on the Uncompahgre National Forest (36 CFR 220.6(e)(3)).

**Brett Clifton** (T. 9S, R. 92W, Section 24, 6th P.M.) The Acting Forest Supervisor proposes to issue a private road special use permit to for an existing,

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previously-authorized road accessing his private land on the Grand Mesa National Forest (36 CFR 220.6(e)(3)).

For more information on lands special use authorizations contact: Linda Bledsoe at 970-263-5802 or lbledsoe@fs.fed.us.

**Recreation Facilities:**  
**Flowing Park Trailhead** (T. 13S, R. 96W, Section 3, 6th PM) The Acting District Ranger proposes to authorize the creation of a 15 car parking area with a map/information kiosk and attendant fencing disturbing less than 1/2 acre. Implementation is scheduled to occur over a three week period during the summer of 2012 and 2013. Project is needed to: 1) reduce disturbance to the native vegetation currently occurring when parking exceeds the limited current capacity; 2) provide a convenient location for trail maps and trail information increasing public service; and 3) restrict trails to designated users consistent with Travel Management Plan through the use of fencing and signing (i.e., the Flowing Park Loop trail will be restricted to: foot, horse, and bicycle use while the Drop Off Trail will be restricted to: foot, horse, bicycle, and motorcycle use). The Forest Service will: 1) maintain administrative access for grazing permittees and future timber harvesting operations while replacing the gate and 2) not impact or close existing authorized roads and trails allowing for the future connection of the Mesa Top trail. Temporary road/trail closures may be necessary during project implementation (36 CFR 220.6(d)(1)(e)(3)).

**Leonard's Ridge Trail** (T. 50N and 51N, R. 102W, New Mexico PM) The Acting District Ranger proposes to authorize the realignment of 0.9 miles of existing trail on the Uncompahgre National Forest. Implementation is scheduled to occur over a ten week period during the summer of 2012 and 2013. The abandoned portion of trail will be closed and naturalized. Project is needed to: 1) provide a sustainable grade and meet trail standards and 2) provide safer conditions for users traveling either direction. The Forest Service will: 1) extensively rehabilitate old alignment to encourage re-vegetation of the area and 2) continue to use the existing alignment with signing until construction of the realignment is completed to allow for continued visitor use of the area (36 CFR 220.6(e)(1)(i)).

For more information on these recreation facilities projects contact: Chris Foreman at (970) 263-5835 or cforeman@fs.fed.us.

**Forest-owned facilities:**  
**Crystal Lake Dam Repairs** (T. 43N, R. 7W, Section 29, New Mexico PM) The Acting Forest Supervisor proposes to authorize the Bureau of Reclamation to: 1) rebuild the embankments that are leaking, 2) replace non-functioning outlet works and the spillway, 3) install "toe drains" as needed 4) install riprap where needed on the dam, 5) clear woody vegetation growing on the dam, 6) accommodate a future fishing pier while performing repairs on the dam to enhance recreational experiences and 7) close the site during construction activities for public safety with a Forest Order. The repair work is expected to occur mid-summer 2012 and last approximately 3 weeks. The Forest Service would maintain trail accessibility across dam crest and over the

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spillway for existing and potential trail opportunities except during construction activities. The work is needed to address deficiencies identified by State dam inspection(s) including the lack of functioning outlet works and an emergency spillway that affects the ability to monitor the inflow and outflow of water through the dam which could cause water to spill over the dam crest and effect the town of Ouray in a major rain event. Project is located on the Uncompahgre National Forest. Comments were sought on this project in 2011. This is additional comment period is to satisfy the requirements of the court decision (36 CFR 220.6(d)(1.3.5)(e)(7)).

For more information on this dam repair project contact: Nicolle Mortenson at 406-329-3163 or nmortenson@fs.fed.us.

**How to Comment and Timeframe**  
Written, facsimile, hand-delivered, oral, and electronic comments concerning this action will be accepted for 30 calendar days following the publication of this notice in the Grand Junction Daily Sentinel. The publication date in the newspaper of record is the exclusive means for calculating the comment period for this analysis. Those wishing to comment should not rely upon dates or timeframe information provided by any other source. The regulations prohibit extending the length of the comment period. It is the responsibility of persons providing comments to submit them by the close of the comment period.

Written comments for projects except Crystal Lake Dam Repairs must be submitted to: Comments for Crystal Lake Dam Repairs must be submitted to: Grand Valley Ranger District Attn: District Ranger 2777 Crossroads Blvd, Unit 1 Grand Junction, CO 81506 Grand Mesa, Uncompahgre and Gunnison National Forests Attn: Forest Supervisor 2250 HWY 50 Delta, CO 81416

The office business hours for those submitting hand-delivered comments are: 8:00 am to 5:00 pm Monday through Friday, excluding holidays.

Oral comments must be provided at the Responsible Official's office during normal business hours via telephone to the contacts listed above or in person. Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to comments-rocky-mountain-GMU@fs.fed.us and include the name of the project in the subject line. In cases where no identifiable name is attached to a comment, a verification of identity will be required for appeal eligibility. If using an electronic message, a scanned signature is one way to provide verification.

Individuals and organizations wishing to be eligible to appeal must meet the information requirements of 36 CFR 215.6. If no comments or only comments in support of the project are received, there will be no appeal period (36 CFR 215.12(e)).

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